

2009 DEC -2 P 2:34

ORDINANCE NO: 2009-28

CINDY MURRAY

**AN ORDINANCE AMENDING ORDINANCE 2009-20, SECTION 8.08.830 -
STORMWATER SERVICE CHARGE FOR NON-RESIDENTIAL PROPERTY,
TO CORRECT A SCRIVENERS ERROR**

WHEREAS, the Common Council of the City of Lafayette passed Ordinance 2009-20 to provide for a Stormwater Service Charge beginning 1/1/2010, which included a phase-in provision for the first year.

WHEREAS, the phase-in provision of Four Dollars (\$4.00) per ERU was included in Section 8.08.820 for Residential Property, but as a result of a Scriveners Error was not included in Section 8.08.830 for Non-Residential Property.

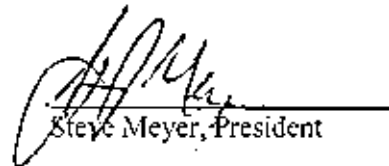
**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL
OF THE CITY OF LAFAYETTE, INDIANA:**

That Section 8.08.830 of Ordinance 2009-20 be amended by deleting said section and replacing it in its entirety as follows:

8.08.830- Stormwater service Charge for Non-Residential Property

The Stormwater Service Charge for a Non-Residential Property shall be assessed on a monthly basis based on the impervious surface area of such property. The square footage of the impervious surface area on a Non-Residential Property shall be divided by 3,200 square feet (i.e., one (1) ERU), and the resulting ERU multiple shall be rounded in accordance with Section 8.08.840. A developed Non-Residential Property shall not have an ERU multiple of less than one (1). The resulting ERU multiple shall then be multiplied by Four Dollars (\$4.00) per ERU per month for the year 2010, increasing to Five Dollars (\$5.00) per ERU per month in 2011 and subsequent years to determine the applicable monthly Stormwater Service Charge for the Non-Residential Property. Notwithstanding the foregoing, public right-of-way and railroad rights-of-way shall be exempt from the Stormwater Service Charge.

ADOPTED AND PASSED BY THE COMMON COUNCIL of the city of Lafayette, Indiana
this 7th day of December, 2009.


Steve Meyer, President

ATTEST:

Cindy Murray
Cindy Murray, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, for his approval and signature
this 7th day of December, 2009.

Cindy Murray
Cindy Murray, City Clerk

This Ordinance approved and signed by me on this 7th day of December, 2009.

Tony Roswarski
Tony Roswarski Mayor

ATTEST:

Cindy Murray
Cindy Murray, City Clerk

SPONSORED BY: Edward Chosnek, City Attorney